

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JENNIFER ALLEN,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

NO: 1:14-CV-3177-RMP

ORDER ADOPTING REPORT AND
RECOMMENDATION

BEFORE THE COURT is Magistrate Judge Rodgers' August 10, 2015, Report and Recommendation, **ECF No. 22**, to grant the parties' Stipulated Motion for Remand, ECF No. 21, to reverse and remand this case to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g), to strike Plaintiff's Motion for Summary Judgment, ECF No. 16, and to enter judgment in Plaintiff's favor. Plaintiff is represented by D. James Tree. Assistant United States Attorney Pamela J. DeRusha, and Social Security Administration counsel Erin Frances Highland represent Defendant. Objections to the Report and Recommendation were due on August 20, 2015. Neither party filed objections.

ORDER ADOPTING REPORT AND RECOMMENDATION ~ 1

1 The Court has reviewed and considered the Report and Recommendation,
2 the parties' Stipulated Motion for Remand, and all relevant filings. Having
3 reviewed the August 10, 2015, Report and Recommendation *de novo*, the Report
4 and Recommendation, **ECF No. 22**, is **ADOPTED in its entirety**.

5 Accordingly, **IT IS HEREBY ORDERED:**

6 1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**.

7 2. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is hereby
8 **STRICKEN as moot**.

9 3. **Judgment** shall be **ENTERED** for Plaintiff.

10 4. This case is **REVERSED** and **REMANDED** to the Commissioner of
11 Social Security for further administrative proceedings pursuant to
12 sentence four of 42 U.S.C. § 405(g). On remand, the administrative law
13 judge (ALJ) shall: (1) reevaluate the medical opinions of record and
14 provide adequate rationale for the rejection of any opinions that the ALJ
15 chooses not to accept; (2) reevaluate Plaintiff's mental impairments
16 pursuant to the special technique in 20 C.F.R. §§ 404.1520 and 416.920;
17 (3) further assess Plaintiff's residual functional capacity; (4) further
18 evaluate Plaintiff's subjective complaints; (5) hold a new hearing and
19 allow Plaintiff to testify and submit new evidence; (6) obtain evidence
20 from a medical expert concerning the nature and severity of Plaintiff's
21 impairments, if warranted and available; and (7) obtain evidence from a

1 vocational expert to clarify the effects of the assessed limitations on
2 Plaintiff's occupational base, if warranted.

3 5. Upon proper application, Plaintiff shall be eligible for attorneys' fees
4 under the Equal Access to Justice Act, 24 U.S.C. § 2412 et seq.

5 **IT IS SO ORDERED.** The District Court Clerk is directed to file this
6 Order, to provide copies to counsel, and to **close** this case.

7 **DATED** this 27th day of August 2015.

8
9 *s/ Rosanna Malouf Peterson*
10 ROSANNA MALOUF PETERSON
11 Chief United States District Court Judge
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